

# FIFA REGULATIONS FOR THE STATUS AND TRANSFER OF PLAYERS

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# The members of the “sports family”

- FIFA
- UEFA
- EPFL
- G14
- FIFPRO
- But also the EUROPEAN COMMISSION
- ...and BRUTUS!

# GENESIS

- The Gentlement agreement (2001)
  - The five principles
- 2001 FIFA Regulations
- 2004 FIFA Regulations
  - (adopted on 18 December 2004; enter into force on 1 July 2005)

# SCOPE

To establish

- global and binding rules concerning the status of players,
- their eligibility to participate in Organised Football, and
- their transfer between clubs belonging to different Associations the release of players for Association teams and players' eligibility to play for such teams (art. 1)

# STATUS OF PLAYERS

- A Professional is a player who has a written contract with a club and is paid more than the expenses he effectively incurs in return for his footballing activity
- All other players are considered as Amateurs.

# REGISTRATION OF PLAYERS

- A player must be registered with an Association to play for a club
- A player may only be registered for one club at a time.
- Players may be registered for a maximum of three clubs during the period from 1 July until 30 June of the following year

# Registration Periods

- Players may only be registered during one of the two annual Registration Periods fixed by the relevant Association.
- Exception:
  - a Professional whose contract has expired prior to the end of a Registration Period may be registered outside that Registration Period.
  - Respect of the “sport integrity”, player passport

# International Transfer Certificate

- Players registered with one Association may only be registered with a New Association once the latter has received an International Transfer Certificate
  - Issued free of charge without any conditions or time limitation

# Players

- Loan of Players
  - Unregistered Players
- Disciplinary sanctions

# CONTRACTUAL STABILITY

- Respect of Contract
- Terminating a Contract for
  - Just Cause
  - Sporting Just Cause

# Sanctions

- Compensation
- Sporting sanctions
  - Players: suspension of 4 months, but also 6 months
  - Clubs: ban to register new players

# Contract

- Maximum of 5 years
- For under 28: maximum of 3 years
- Mention to the name of the agent
- It is not subject to a positive medical examination and/or the granting of a work permit

# Protection of Minors

- General rule: International transfers of players are only permitted if the player is over the age of 18.
- The player's parents move to the country in which the New Club is located for reasons not linked to football
- The transfer takes place within the territory of the EU or EEA and the player is aged between 16 and 18.
  - But some obligations must be fulfilled
- The player lives no further than 50km from a national border,

# Training Compensation

- It must be paid when:
  - a player signs his first contract as a Professional,
  - on each transfer of a Professional until the end of the Season of his 23rd birthday

# Solidarity Mechanism

- If a Professional is transferred before the expiry of his contract, any club that has contributed to his education and training shall receive a proportion of the compensation paid to his previous club

# Jurisdiction

- Civil court for employment-related disputes
- But FIFA for
  - disputes between clubs and players in relation to the maintenance of contractual stability if there has been an ITC Request
  - Disputes related to Training Compensation (Art. 20) and Solidarity Mechanism
  - Employment-related disputes between a club and a player that have an “international dimension”
    - unless an independent national arbitration tribunal (fair proceedings and equal representation of players and clubs)

# Judicial Bodies

- Players' Status Committee
- Dispute Resolution Chamber (now also a single judge)
- CAS

# Does the sytem really work?

*....“But Brutus is an honorable man,  
So are they all, all honorable men”*

William Shakespeare (1564-1616),  
Julius Caesar, Act 3. Scene 2. The Forum in Rome.